

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Midlands Utility, Inc. for Approval of a  
Wholesale Wastewater Agreement with the  
Orangeburg Department of Public Utilities  
Northwood Estates

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET  
NUMBER: 2008 - 159 - S

(Please type or print)

Submitted by: Midlands Utility, Inc.

SC Bar Number: 1367

Address: 816 East Main Street

Telephone: 803 359-4803

Lexington SC 29072

Fax: 803 359-2374

Other:

Email: midlandsutility@gmail.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

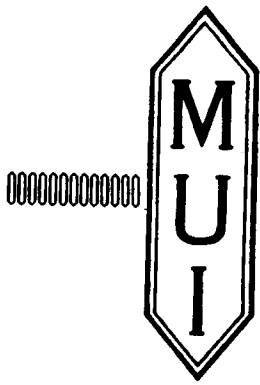
☒ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)	
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input checked="" type="checkbox"/> Letter
<input type="checkbox"/> Electric/Gas	<input checked="" type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause
<input checked="" type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report

Print Form

Reset Form



# MIDLANDS UTILITY, INC.

816 EAST MAIN STREET • P. O. BOX 887  
LEXINGTON, SOUTH CAROLINA 29072  
TELEPHONE: 359-4803

April 6, 2015

Jocelyn G. Boyd, Chief Clerk  
Docketing Department  
Public Service Commission of South Carolina  
PO Drawer 11649  
Columbia SC 29211

RE: Amendment of Wholesale Wastewater Agreement with the Orangeburg  
Department of Public Utilities and Midlands Utility, Inc. (Northwood Estates)  
DOCKET NO. 2008-159-S, ORDER NO. 2008-396  
AMENDED JULY 1, 2013 (EXTENSION)  
AMMENDED MARCH 1, 2015 (2<sup>nd</sup> EXTENSION)

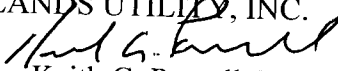
Dear Ms. Boyd:

Enclosed is the second amended agreement which simply extends the term of the above amended contract thirty-six (36) months from March 1, 2015. The existing contract previously approved by the Commission on January 8, 2014 has expired on March 1, 2015.

Midlands Utility, Inc. is unable to operate this system without a contract with the City of Orangeburg, thus the extension! There exist specific financial, surety, capacity and other qualifiers that must be met by both parties.

The March 1, 2015 contract is identical to the July 1, 2013 contract with the exception of an additional statement that Midlands shall maintain a letter of credit or deposit that is in compliance with Item C, Section VII- Billing and Payment Terms as outlined in DPU's General Terms and Conditions.

Respectfully,  
MIDLANDS UTILITY, INC.

  
Keith G. Parnell, PE

ORS w/encl.  
Charles H. Cook, Esq.

SC PUBLIC SERVICE  
COMMISSION

2015 APR - 9 PM 12:20

RECEIVED



## Department of Public Utilities

City of Orangeburg  
1016 Russell Street  
Post Office Box 1057  
Orangeburg, South Carolina 29116-1057  
(803) 268-4000 • Fax (803) 531-3803  
[www.orbgdpu.com](http://www.orbgdpu.com)

March 31, 2015

Mr. Keith G. Parnell, P. E.  
Midlands Utility, Inc.  
Post Office Box 887  
Lexington, South Carolina 29071

RE: Northwood Estates Subdivision  
Wholesale Wastewater Agreement

Dear Keith:

Enclosed you will find a signed original copy of the Amended Wholesale Wastewater Agreement for Northwood's Estate Subdivision for your records.

if you have any questions, please contact Randy Myers at (803) 268-4506.

Sincerely,

Richard M. Labrador, P. E.  
Director  
Wastewater Division

RML/rlm  
WW-15-0041  
Enclosure  
cc w/o enclosure:  
R. Myers  
cc w/enclosure:  
File 500-2.13

MANAGER  
O. THOMAS MILLER, JR.

MAYOR  
MICHAEL C. BUTLER

MEMBERS OF COUNCIL  
CHARLES B. BARNWELL, JR.  
BERNARD HAIRE  
CHARLES W. JERNIGAN

MEMBERS OF COUNCIL  
L. ZIMMERMAN KEITT  
SANDRA P. KNOTTS  
RICHARD F. STROMAN

STATE OF SOUTH CAROLINA)  
COUNTY OF ORANGEBURG)

WASTEWATER AGREEMENT JULY 1, 2008  
AMENDED JULY 1, 2013 (EXTENSION)  
AMENDED MARCH 1, 2015 (2<sup>ND</sup> EXTENSION)

This AMENDMENT To Agreement dated July 1, 2008, is entered into effective March 1, 2015 and executed in duplicate (each executed copy constituting an original) between the City of Orangeburg, State of South Carolina, a municipal corporation of the State of South Carolina (hereinafter referred to as "City), and Midlands Utility, Inc., a utility licensed under the authorities of the Public Service Commission ("PSC") (hereinafter referred to as "Midlands").

WHEREAS, the City now owns, operates and maintains facilities for collecting and treating a large supply of Wastewater, and

WHEREAS, Midlands owns, operates and maintains facilities for collecting wastewater from its own retail customers; and

WHEREAS, Midlands by agreement dated July 1, 2008, approved by the PSC, and by the City, now desire to amend said wastewater agreement and incorporate by reference all terms and conditions, for an additional thirty-six (36) months from the effective date hereof.

NOW, THEREFORE, BE IT KNOWN BY ALL MEN BY THE PRESENTS, that in consideration of mutual covenants, the premises above stated and promises contained herein, the parties agree as follows:

Duration of Wastewater Agreement Dated July 1, 2008

The agreement dated July 1, 2008, and amended July 1, 2013, incorporated by reference herein as amended by the parties below, shall remain in full force and effect for a period of thirty-six (36) months from the date of March 1, 2015, unless sooner terminated according to its terms or applicable law or mutual consent of the parties hereto.

Any notices required to be given hereunder shall be deemed to have been sufficiently given either party for all purposes hereof if failed by certified mail, to the following addresses:

The City:  
Manager  
Department of Public Utilities  
Post Office Box 1057  
Orangeburg, South Carolina 29116-1057

Midlands:  
Midlands Utility, Inc.  
Post Office Box 887  
Lexington, South Carolina 29071

The parties hereto specifically agree that all sections, paragraphs, sentences, clauses, and phrases of the amended July 1, 2008 agreement shall remain in full force and effect according to the original agreement other than for the purpose of extension as to duration as provided for hereinabove.

The parties also agree that Midlands shall maintain a letter of credit or deposit that is in compliance with Item C, Section VII-Billing and Payment Terms as outlined in DPU's General Terms and Conditions.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to Agreement to be duly executed in duplicate, each of which is considered to be an original, thereby binding themselves,

their successors, assigns, and representatives for the faithful and full performance of the terms and provisions of this Agreement.

IN THE PRESENCE OF:

Ronald A. Myers  
Ryan Etheridge

B. Larned  
B. Larned

CITY OF ORANGEBURG,  
STATE OF SOUTH CAROLINA

O. Thomas Miller Jr.  
It's Manager

MIDLANDS UTILITY, INC.

Mark L. Linn  
It's President

## CERTIFICATE OF SERVICE

The undersigned employee of Midlands Utility, Inc., does hereby certify that she has served below listed parties with a copy of the pleading(s) indicated below by mailing a copy of same to them in the United States mail, by regular mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

RE: Amendment of Wholesale Wastewater Agreement with Orangeburg  
Department of Public Utilities and Midlands Utility, Inc. (Northwood  
Estates)

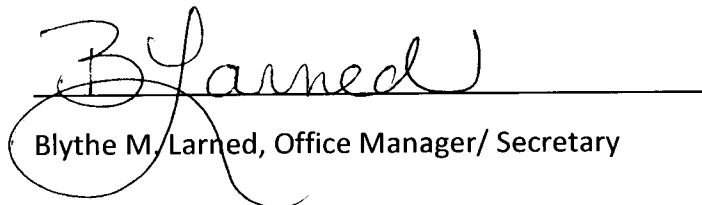
DOCKET NO. 2008-159-S

ORDER NO. 2008-396

PARTIES SERVED: Duke Scott, Esquire  
Office of Regulatory Staff  
1401 Main Street  
Suite 900  
Columbia, SC 29201

PLEADING: Contract Amended Agreement

April 7, 2015



Blythe M. Larned, Office Manager/ Secretary